

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

RYANAIR DAC,

Plaintiff,

v.

BOOKING HOLDINGS INC.,
BOOKING.COM B.V., KAYAK SOFTWARE
CORPORATION, PRICELINE.COM LLC,
and AGODA COMPANY PTE. LTD,

Defendants.

C.A. No. 20-01191-WCB

PUBLIC REDACTED VERSION

**DECLARATION OF OLIVIER ROSET IN SUPPORT OF
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

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Attorneys for Defendants

Dated: December 20, 2023

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**DECLARATION OF OLIVIER ROSET IN SUPPORT OF
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I, Olivier Roset, pursuant to 28 U.S.C. § 1746 hereby declare as follows:

1. I am over eighteen (18) years of age, of sound mind, and otherwise competent to make this Declaration. I am currently the Director of Products Consumer FinTech at Agoda Company Pte. Ltd. ("Agoda"). I have served in this role since July 2022. I previously served as Head of Flights at Agoda from 2019 to 2021, and Head of Agoda Travel platform from January 2022 to June 2022. As a result, I have personal knowledge of the statements set forth in this declaration or I have learned the information provided herein from Agoda data sources and knowledgeable Agoda employees. I sat for a deposition in the above-captioned matter on August 23, 2023. If called as a witness, I could and would testify competently to the matters set forth herein.

2. Agoda is an Asia-based online travel agency, headquartered in Singapore, that facilitates the booking of travel services, including accommodation reservations and airline tickets.

3. Agoda displayed the ability to book Ryanair flights through its platforms (mobile and web) from 2019 to 2020, after which, [REDACTED]

[REDACTED]

[REDACTED]. [REDACTED]

[REDACTED]

[REDACTED]

4. During the time Agoda offered Ryanair flights, flight inventory and information (e.g., fares and schedules) displayed on Agoda's platforms has been sourced [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

5. During the time Agoda offered Ryanair flights, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

6. During the time Agoda offered Ryanair flights, [REDACTED]

[REDACTED]

[REDACTED]

7. During the time Agoda offered Ryanair flights, Agoda did not instruct any flight aggregators on how or whether to obtain Ryanair fares and schedules or how to book Ryanair flights. Further, Agoda did not instruct flight aggregators to access the Ryanair website or make a myRyanair account.

8. Neither I, nor to my knowledge anyone else at Agoda, knows the details of how aggregators actually made the bookings of Ryanair flights for Agoda customers.

9. Agoda has no direction, control, or involvement in any of the flight aggregators' decisions regarding what airline inventory to make available to Agoda or how they obtain the flight inventory.

10. During the time Agoda offered Ryanair flights, Agoda did not provide any information about those customers that booked Ryanair flights directly to Ryanair. Customers enter certain required information on Agoda's platforms as part of the booking flow, [REDACTED]

[REDACTED]. Agoda does not alter the customer-provided information, unless required for customer support purposes. Agoda does not know the specific customer information provided to any airline, including Ryanair, when aggregators process the Ryanair bookings made on Agoda's platforms. Agoda does not tell any flight aggregator what information to provide or not to provide to Ryanair in connection with Ryanair bookings.

11. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

I declare under penalty of perjury under the laws of the United States of America that the
December 19, 2023
foregoing is true and correct. Executed on December , 2023.

Olivier Roset

Olivier Roset

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CERTIFICATE OF SERVICE

I hereby certify that on December 20, 2023, a true and correct copy of the foregoing document was caused to be served on the following counsel of record in the manner indicated.

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/s/ Jeffrey L. Moyer

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